

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number: 09/954,526

Art Unit: 1745

Applicants: James F. PITZEN, et al.

Examiner: John S. MAPLES

Filed: March 5, 2001

Confirmation No. 6141

Title: A Combination
Rechargeable, Detachable
Battery System and Power
Tool

Reissue of Patent No.: 5,792,573

Attorney Docket No.: 54525.000055

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. § 1.131

Sir,

In accordance with practice outlined in 37 C.F.R. § 1.131 and MPEP § 715, attached please find the declaration of Gene Warzecha, establishing a date of conception prior to February 10, 1994 and diligence from prior to February 10, 1994 until at least the priority filing date of June 10, 1004.

Pursuant to a petition decision mailed by the Office of Petitions on April 16, 2002, this application has been granted status under 37 C.F.R. §1.47(b). Therefore, in accordance with 37 C.F.R. § 1.131(a) and MPEP § 715.04(I)(C), the attached declaration is properly made by Gene Warzecha, Assistant Secretary, authorized to act on behalf of the assignee, Linvatec Corporation.

No fee is believed to be due in conjunction with this declaration. However, the Commissioner is hereby authorized to charge any fee in connection with this submission to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS

Dated: 12/20/2006

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